

# PATENT COOPERATION TREATY

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From the INTERNATIONAL SEARCHING AUTHORITY

To:  
JANE MASSEY LICATA  
LICATA & TYRRELL P.C.  
66 E. MAIN STREET  
MARLTON, NJ 08053

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference  
ISPEI-0852

International application No.  
PCT/US04/13379

Applicant  
ISIS PHARMACEUTICALS, INC.

Date of mailing  
(day/month/year)

**27 SEP 2005**

**FOR FURTHER ACTION** See paragraphs 1 and 4 below

International filing date  
(day/month/year) 30 April 2004 (30.04.2004)

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

### 4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US  
Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (703) 305-3230

Authorized officer

Jane Zata

Telephone No. 571 222-1600

Form PCT/ISA/220 (January 2004)

(See notes on accompanying sheet)

ISIS DOCKETING

Action to be taken:	Article 19 Amend	
Due Date(s):	11/21/05	11/21/05
PCM Entry by:	JK	9/29/05

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copied  
**GREEN**

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference ISPE-0852	<b>FOR FURTHER ACTION</b> <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. PCT/US04/13379	International filing date (day/month/year) 30 April 2004 (30.04.2004)	(Earliest) Priority Date (day/month/year) 04 June 2003 (04.06.2003)
Applicant ISIS PHARMACEUTICALS, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



it is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the Report

- a. With regard to the language, the international search was carried out on the basis of



the international application in the language in which it was filed.



a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

- b. ☒ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☒ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International Search Report  
PCT/US04/13379

## Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item I.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
  - a. type of material
    - ☒ a sequence listing
    - ☒ table(s) related to the sequence listing
  - b. format of material
    - ☒ on paper
    - ☒ in electronic form
  - c. time of filing/furnishing
    - ☒ contained in the international application as filed
    - ☒ filed together with the international application in electronic form
    - ☐ furnished subsequently to this Authority for the purposes of search
2. ☒ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

## INTERNATIONAL SEARCH REPORT

 International Search Report  
 PCT/US04/13379

## A. CLASSIFICATION OF SUBJECT MATTER

 IPC(7) : C12Q 1/68; C12P 19/34; C12N 15/63, 15/88; C07H 21/02, 21/04; A01N 43/04  
 US CL : 435/6, 91.1, 91.31, 455, 536/23.1, 24.5, 514/44

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/6, 91.1, 91.31, 455; 536/23.1, 24.5, 514/44

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
West, Dialog, Sequence Search

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6,506,559 (FIRE et al) 14 January 2003, abstract, 4-5, 7-8-9, claims 1-10, 12, 15, 21.	1-18
Y	US 6,096,722 (BENNETT et al) 1 August 2000 (col. 2, 6, 8, 11-12, 17, 20, 24-25, 37-39, 43-48, 54-55, claims 1, 2, 6, 7, 8-22).	1-18

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"B" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"Z" document of the same patent family

Date of the actual completion of the international search

13 September 2005 (13.09.2005)

Name and mailing address of the ISA/US

 Mail Stop PCT, Attn: ISA/US  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 Facsimile No. (703) 305-3230

Date of mailing of the international search report

27 SEP 2005

Authorized officer

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